

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**STATE OF MISSOURI,  
RESPONDENT  
vs.**

**TYRON L. SKINNER,  
APPELLANT**

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DOCKET NUMBER WD78006

DATE: MAY 3, 2016

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Appeal from:

The Circuit Court of Jackson County, Missouri  
The Honorable Bryan Round, Judge

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Appellate Judges:

Division Two: Victor C. Howard, Presiding Judge, Thomas H. Newton, Judge and Karen King Mitchell, Judge

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Attorneys:

Evan J. Buchheim, for Respondent

Jeannette L. Wolpink, for Appellant

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**MISSOURI APPELLATE COURT OPINION SUMMARY**

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**STATE OF MISSOURI, RESPONDENT**

**v.**

**TYRON L. SKINNER, APPELLANT**

WD78006

Jackson County, Missouri

Before Division Two: Victor C. Howard, Presiding Judge, Thomas H. Newton, Judge and Karen King Mitchell, Judge

Tyron Skinner appeals his convictions and sentences following a jury trial for one count of unlawful use of a weapon and one count of armed criminal action. Skinner raises two points on appeal challenging the trial court's failure to *sua sponte* prevent a member of the venire panel from serving as a juror and the trial court's sentencing him as a prior and persistent offender. The judgment of convictions and sentences is affirmed; however the judgment is remanded for entry of judgment *nunc pro tunc* reflecting the court's sentencing of Skinner as a prior offender, rather than as a prior and persistent offender as previously entered due to apparent clerical error.

**AFFIRMED, REMANDED IN PART.**

**Division Two holds:**

Where counsel made no contemporaneous challenge of venire panel member, review was waived. Because the trial court is under no duty to strike a venire member on its own motion, there was no evident, obvious, or clear error, and therefore no plain error.

**Opinion by: Victor C. Howard, Judge**

Date: MAY 3, 2016

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